

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ASPEN SPECIALTY INSURANCE COMPANY,)
)
)
Plaintiff,)
v.) NO. 3:13-CV-1359
)
SOUTHEAST TITLE OF MURFREESBORO, LLC, CARLA DILLARD, and FIRST COMMUNITY MORTGAGE, INC.,) JUDGE WILLIAM J. HAYNES
)
)
Defendants.)

OMSK
Motion
NOT GRANTED
JLL 3/3/14
18000

ASPEN'S MOTION FOR LEAVE TO FILE A REPLY MEMORANDUM

COMES NOW, Plaintiff Aspen Specialty Insurance Company ("Aspen") and hereby *4-3-14* requests pursuant to L.R. 7.01 that this Court grant Aspen leave to file a reply memorandum in response Defendants Southeast Title of Murfreesboro, LLC and Carla Dillard's (collectively, "Southeast Title") Response in Opposition to Aspen's Motion to Reopen and Amend (the "Response"). (D.E. 23). Southeast Title's Response raises new arguments regarding whether the court should abstain from exercising discretion over this declaratory judgment action that necessitate further briefing from Aspen. Additionally, Southeast Title's arguments regarding Aspen's duty to defend touch on the merits of this case and, if accepted, are case dispositive for practical purposes by depriving Aspen of a declaration of its rights regarding the duty to defend until the Underlying Action is concluded. Accordingly, Aspen requests the opportunity to reply to ensure that the court is fully apprised of all law and facts before making a decision in this matter. A proposed Reply in Support of Aspen's Motion is attached (Exhibit 1).